

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

VICTOR LARRY LEE WRIGHT,

Defendant.

CASE NO. CR15-0196 JCC

ORDER CONTINUING TRIAL
DATE

This matter comes before the Court upon the parties' stipulated motion to continue the trial date in this matter (Dkt. No. 21). The parties base their request for a continuance on the following facts:

1. Mr. Wright has undergone a psychosexual evaluation. The report on this evaluation will be critical to the defense's preparation, but it has not yet been completed. (Dkt. No. 21 at 2.)
2. The record in this case is voluminous and will likely increase in size as the Government produces additional discovery related to its search of digital devices. (Dkt. No. 21 at 2-3.)
3. The charges in this case are highly serious—production, distribution, and possession of child pornography. (Dkt. No. 1 at 1-3.)

4. Mr. Wright supports the parties' request for a continuance and has waived his right to a speedy trial through May 31, 2016. (Dkt. No. 21 at 3 and Dkt. No. 22.)

Based on these undisputed facts, the Court now finds:

1. That failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(ii) and (iv);
2. That the case is complex due to the nature of the prosecution such that it is unreasonable to expect adequate preparation within the time limits specified within the meaning of 18 U.S.C. § 3161(h)(7)(B)(ii);
3. That failure to grant such a continuance in the proceeding would be likely to make a continuation of such proceeding impossible and result in a miscarriage of justice within the meaning of 18 U.S.C. § 3161(h)(7)(B)(i); and
4. That the ends of justice will be served by ordering a continuance in the case, that a continuance is necessary to ensure effective trial preparation, and that these factors outweigh the best interests of the public in a speedy trial, within the meaning of 18 U.S.C. § 3161(h)(7)(A).

Therefore, good cause having been shown, the trial date is hereby CONTINUED from February 29, 2016 to May 23, 2016 at 9:30 a.m. The following deadlines are EXTENDED accordingly:

1. Pretrial motions are due on or before April 11, 2016.

1 2. Trial briefs, witness and exhibit lists, proposed voir dire, proposed verdict
2 forms, motions in limine, and a list of agreed upon and contested
3 proposed jury instructions are due on or before May 9, 2016.

4 The period of time from the previous trial date of February 29, 2016 to the new trial date
5 of May 23, 2016 is excluded under the Speedy Trial Act, 18 U.S.C. §§ 3161 *et seq.*

6 DATED this 2nd day of February 2016.
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A handwritten signature in black ink, reading "John C. Coughenour", written over a horizontal line.

John C. Coughenour
UNITED STATES DISTRICT JUDGE